

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

Robert Doyal Jones, Jr.,)
)
Petitioner,) Case No. 3:13-cv-20
)
-vs-) **ORDER ADOPTING REPORT AND**
) **RECOMMENDATION**
Wayne Stenhjem, North Dakota Attorney)
General,)
)
Respondent.)

The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, pursuant to 28 U.S.C. § 636, recommending that Respondent's motion to dismiss be granted and Petitioner's petition for habeas relief be dismissed without prejudice (Doc. #17). No party has objected to the Report within the requisite time period.

The Court has reviewed the Report and Recommendation, along with the entire file, and finds the Magistrate Judge's recommendations are appropriate. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. For the reasons set forth therein,

- (1) Respondent's motion to dismiss is **GRANTED** (Doc. #13), and
- (2) Petitioner's petition for writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE** (Doc. #2).

IT IS SO ORDERED.

Dated this 18th day of December, 2013.

/s/ Ralph R. Erickson
Ralph R. Erickson, Chief Judge
United States District Court